

**EXEMPTION FROM APPLICATION OF SERVICE CONTRACT ACT PROVISIONS FOR
MAINTENANCE, CALIBRATION, AND/OR REPAIR OF ADP, SCIENTIFIC AND MEDICAL
AND/OR OFFICE/BUSINESS MACHINES**

A. The following certification shall be checked by the offeror:

CERTIFICATION

The offeror certifies _____, does not certify _____ that--

- (1) The items of equipment to be serviced under this subcontract are commercial items which are used regularly for other than Government purposes, and are sold or traded by the subcontractor in substantial quantities to the general public in the course of normal business operations;
 - (2) The subcontract services are furnished at prices which are, or are based on, established catalog or market prices for the maintenance, calibration, and/or repair of such commercial items. An ``established catalog price" is a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or vendor, is either published or otherwise available for inspection by customers, and states prices at which sales currently, or were last, made to a significant number of buyers constituting the general public. An ``established market price" is a current price, established in the usual course of trade between buyers and sellers free to bargain, which can be substantiated through competition or from sources independent of the manufacturer or subcontractor; and
 - (3) The subcontractor utilizes the same compensation (wage and fringe benefits) plan for all service employees performing work under the contract as the contractor uses for these employees and equivalent employees servicing the same equipment of commercial customers.
- B. If a negative certification is made and a Service Contract Act wage determination is not attached to the solicitation, the Subcontractor shall notify the SRNS Purchasing Representative as soon as possible.
- C. Failure to execute the certification in paragraph (a) of this clause or to contact the SRNS Purchasing Representative as required in paragraph (b) of this clause may render the offer nonresponsive.

Subcontractor

Name

Signature

Date